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TAYLOR THOMSON

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Taylor Thomson

Plaintiff,

v.

Persistence Technologies BVI Pte Ltd.,
Tushar Aggarwal, Ashley Richardson,

Defendants.

Case No. 2:23-cv-04669-MEMF-MAR

**PLAINTIFF TAYLOR THOMSON'S
SUR-REPLY IN OPPOSITION TO
DEFENDANT ASHLEY
RICHARDSON'S MOTION TO
COMPEL AND REQUEST FOR
SANCTIONS**

The Honorable Margo A. Rocconi,
United States Magistrate Judge

Date: TBD

Time: TBD

Courtroom: 790

1 **I. INTRODUCTION**

2 This Sur-reply is limited to addressing new and irrelevant allegations Ms.
3 Richardson introduced for the first time in her Reply and Declaration—allegations that
4 do not appear in her Motion to Compel, which related solely to deposition scheduling,
5 or in Ms. Thomson’s Opposition. (*See* Dkts. 101 [“Reply”] and 102 [“Declaration” or
6 “Richardson Decl.”] (new press narrative to justify Ms. Richardson’s harassing text
7 messages to Ms. Thomson; untrue private-investigator/family harassment story;
8 attempt to avoid service; false claim of “false and hostile statements from counsel”);
9 cf. Dkt. 96 [“Motion”] (addressing only deposition scheduling).) Because Ms.
10 Richardson chose to inject these topics only at reply, Ms. Thomson has not had a fair
11 opportunity to respond.

12 This filing (i) corrects the press narrative with the actual chronology,
13 (ii) clarifies that the only “threatening messages” at issue are Ms. Richardson’s own
14 text messages—which she now attributes to an alleged mental-health crisis and alcohol
15 relapse (so it is completely untenable for her to fault Ms. Thomson for describing them
16 as threatening), and (iii) addresses Ms. Richardson’s misleading claim that she is
17 compliant in discovery.

18 **II. ARGUMENT**

19 **A. The “Press” Narrative Is Both New and Misleading: Ms. Richardson**
20 **First Sent Dozens of Improper and Unsolicited Threatening Text**
21 **Messages to Plaintiff and She and Her Representative Repeatedly**
22 **Threatened Press Escalation Tied to Monetary Demands**

23 Ms. Richardson complains that the republication of threatening text messages
24 which she sent to Ms. Thomson, “and the resulting press interest that has followed,”
25 has compounded harm to her mental health and reputation. (Richardson Decl. at 3.)
26 None of this appears in the Motion, and none of it responds to Ms. Thomson’s
27 Opposition. It is therefore new and improper at the reply stage.

1 On October 13, 2024, Ms. Richardson sent dozens of threatening text messages
2 to Ms. Thomson, even though she had previously been warned to stop communicating
3 directly with Ms. Thomson, a represented party. The messages, in part, stated “[h]ow
4 do you think this ends?”; called Ms. Thomson a “narcissistic soc[i]opathic fucking
5 cunt”; and threatened to “speak to the press” because she “ha[s] the fucking receipts”
6 and warning that Ms. Richardson was “a major liability, for [Ms. Thomson], for the
7 company.” (*See* Dkt. 99-10 at 2-3, 5.) Ms. Thomson, concerned for her safety,
8 understandably filed requests for orders of protection. Ms. Richardson now absurdly
9 blames Ms. Thomson for any resulting press attention, faulting Ms. Thomson because
10 she filed those requests for orders of protection.

11 More fundamentally, the only reason there is now any media attention on this
12 matter is because Ms. Richardson weaponized it: irrespective of Ms. Richardson’s
13 texts, Ms. Richardson and her representative repeatedly threatened to make salacious
14 and untrue comments to a particular reporter (who was allegedly a longtime friend of
15 Ms. Richardson’s representative) unless Ms. Thomson paid Ms. Richardson millions
16 of dollars. Ms. Thomson refused to pay Ms. Richardson millions of dollars in exchange
17 for Ms. Richardson not speaking with the press. Ms. Richardson then solicited a story
18 from that same reporter, who is now poised to go to press with a story based on her
19 discussions with Ms. Richardson. Even then, Ms. Richardson’s representative stated
20 that he would attempt to get the reporter not to publish the story if Ms. Thomson paid
21 Ms. Richardson millions of dollars. Ms. Thomson refused. Those repeated threats
22 demonstrate that Ms. Richardson—not Ms. Thomson—deliberately attracted and
23 leveraged press interest as part of a coercive payout strategy. Ms. Richardson, knowing
24 Ms. Thomson and her family are highly press-averse, directly instigated the press
25 involvement for the express purpose of improperly extracting an unjustified financial
26 payment from Ms. Thomson.

27 ///

Equally important, the threatening texts Ms. Thomson referenced in the October 2024 TRO filing are Ms. Richardson’s own messages—which Ms. Richardson now says were sent during an alleged mental-health crisis and alcohol relapse. Whatever label Ms. Richardson now prefers, it is ridiculous to attempt to fault Ms. Thomson for characterizing Ms. Richardson’s messages as threatening or for documenting Ms. Richardson’s conduct and requesting orders of protection. And it is completely untenable to attempt to blame Ms. Thomson for any alleged minor press inquiry at that time simply because she sought protective relief after Ms. Richardson sent dozens of unsolicited, harassing, and threatening texts—despite prior warnings not to contact Ms. Thomson at all. Ms. Richardson’s deliberate interactions with the press are part of an improper strategy, and it is absurd to try to justify that strategy by blaming *Ms. Thomson* for the prior threatening and harassing texts *sent by Ms. Richardson*. Ms. Richardson’s Reply and Declaration distort both the nature and the origin of any press attention; the Court should reject this new “press” narrative as improper and irrelevant to the narrow deposition issue.

B. Other Reply-Only Narratives are New, Irrelevant, and Prejudicial

In addition to the press story, several other subjects make their first appearance at reply and do not answer any argument in Ms. Thomson’s Opposition. They should be disregarded or stricken as new and irrelevant:

(a) Private investigator / family episode. The Reply and Declaration recount an incident involving a private investigator. (Reply at 2; Richardson Decl. at 4-5.) This narrative was not in the Motion and has no bearing on whether to compel Ms. Thomson’s deposition.

More troublingly, Ms. Richardson’s account is not true. Ms. Thomson is well within her right to investigate any facts related to this litigation, particularly given Ms. Richardson’s failure to provide any specifics regarding any of her claims. There was no “unannounced intrusion” on Ms. Richardson’s mother, her mother did not collapse,

1 and she certainly did not collapse simply because someone asked to speak with her,
2 which she simply declined to do. (*See* Harrison Declaration in Support of Plaintiff’s
3 Sur-Reply [“Harrison Decl.”] Ex. A at 1.)

4 **(b) Service issues.** The Reply alleges failures of service, including in relation to
5 an October 30, 2024 TRO, invoking Rule 5 and a local rule; the Declaration repeats
6 similar contentions. (Reply at 3; Richardson Decl. at 2.) Service disputes of this kind
7 were not part of the Motion and are unrelated to the deposition-scheduling question.

8 On September 26, 2024, the Court ordered Ms. Richardson to register to use the
9 Court’s CM/ECF System; an order with which Ms. Richardson has repeatedly refused
10 to comply. (Dkt. 81.) Ms. Richardson has purposefully refused to comply with the
11 court’s order so that she can continually pretend that she had no notice of any filing
12 which she does not wish to acknowledge notice of. This is purposeful. Regardless of
13 whether Plaintiff files properly on the ECF system, or via email, or via hard copy mail,
14 Ms. Richardson repeatedly pretends that she has not received notice of certain filings
15 which she would prefer not to receive notice of. For that reason, Plaintiff requests that
16 the Court again order Ms. Richardson to register on the ECF system (which she clearly
17 has access to)¹ and that, going forward, filing on the ECF system shall constitute
18 sufficient notice to all parties.

19 **(c) “False and Hostile Statements from Counsel.”** The Reply and Declaration
20 for the first time vaguely alleges that, on or about August 3, 2025, Ms. Thomson’s
21 counsel sent a “threatening” email. (Reply at 2; Richardson Decl. at 4.) This is a
22 recurring theme in Ms. Richardson’s communications—anyone who does not
23 immediately agree with Ms. Richardson’s stated positions is accused of “threatening”
24 or “bullying” her. The current accusations appear only in Ms. Richardson’s Reply and
25 Declaration and were not raised in the Motion to Compel—and they do not respond to

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28 ¹ Furthermore, Ms. Richardson’s assertions are inaccurate. Ms. Richardson consented to service by
email on January 17, 2024. (Harrison Decl. Ex. B.)

1 any argument in Ms. Thomson’s Opposition. They are therefore new, irrelevant to the
2 narrow question of compelling a deposition, and unduly prejudicial; the Court should
3 disregard or strike them.

4 **C. Ms. Richardson’s New “Compliance” Narrative Is Misleading**

5 In her Reply, Ms. Richardson newly portrays herself as compliant—claiming,
6 for example, that she produced “over 1,000” documents and served “over 40 pages”
7 of interrogatory responses while Ms. Thomson “stalled.” That narrative is new to the
8 Reply and mischaracterizes the state of discovery. Ms. Richardson still refuses to
9 supply any necessary specifics of her counterclaims—the who/what/when/where/why
10 of any alleged defamation and instead seeks to use discovery to engage in a fishing
11 expedition for proof she does not presently have.

12 Rule 26(b)(1) requires proportionality and tethering discovery to claims
13 supported by particularized facts—not conducting a fishing expedition for them. At
14 minimum, before any deposition of Ms. Thomson is compelled, Ms. Richardson
15 should be ordered to serve complete, verified responses identifying each allegedly
16 defamatory statement (who said what, to whom, when, where, and why it is false), to
17 identify the actual witnesses she relies upon, and to produce non-privileged materials
18 responsive to those specifics—so any deposition is targeted and proportional rather
19 than open-ended.

20 **III. CONCLUSION**

21 Because these topics were raised for the first time in reply, the Court should
22 disregard or strike the Reply/Declaration’s new allegations concerning: (a) purported
23 media “leaks,” (b) the private investigator/family episode, (c) service accusations, and
24 (d) “false and hostile statements from counsel.” If the Court elects to consider any of
25 them, Ms. Thomson respectfully requests that this Sur-reply, the Harrison Declaration,
26 and supporting exhibits be accepted and considered.

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2 Dated: August 23, 2025

MCDERMOTT WILL & SCHULTE LLP

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4 By: /s/ Todd Harrison
TODD HARRISON

5 Attorneys for Plaintiff
6 TAYLOR THOMSON
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MCDERMOTT WILL & SCHULTE LLP
ATTORNEYS AT LAW
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CERTIFICATE OF COMPLIANCE

This certifies that Plaintiff Taylor Thomson's Sur-Reply in Opposition to Defendant Ashley Richardson's Motion to Compel and Request for Sanctions complies with the requirements of Local Rule 11-6. The Memorandum contains less than 10 pages and therefore does not include a Table of Authorities and a Table of Contents. The Memorandum uses Times New Roman fourteen-point font for body text and twelve-point font for footnotes.

Dated: August 23, 2025

/s/ Todd Harrison

Todd Harrison

McDERMOTT WILL & SCHULTE LLP
ATTORNEYS AT LAW
LOS ANGELES

PROOF OF SERVICE

I am a citizen of the United States and resident of the State of California. I am employed in Los Angeles, California. My business address is McDermott Will & Schulte, LLP, 2049 Century Park East, Suite 3200, Los Angeles, CA 90067. I am over the age of eighteen years and not a party to this action.

On August 23, 2025, I served unredacted copies of the following document:

**PLAINTIFF TAYLOR THOMSON'S SUR-REPLY IN OPPOSITION TO
DEFENDANT ASHLEY RICHARDSON'S MOTION TO COMPEL AND
REQUEST FOR SANCTIONS**

on the following party via email and U.S. Mail:

Ashley Richardson
25399 Markham Lane
Salinas, CA 93908
ashrichardson@mac.com

Defendant in Pro Per

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on August 23, 2025 in Los Angeles, California.

/s/ Diksha Vadan

Diksha Vadan